IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1094 OF 2005
WITH
CRIMINAL WRIT PETITION NO. 1095 OF 2005
WITH
CRIMINAL WRIT PETITION NO. 1097 OF 2005
WITH
CRIMINAL WRIT PETITION NO. 1098 OF 2005
WITH
CRIMINAL WRIT PETITION NO. 1099 OF 2005
WITH
CRIMINAL WRIT PETITION NO. 1100 OF 2005
WITH
CRIMINAL WRIT PETITION NO. 1101 OF 2005
WITH
CRIMINAL WRIT PETITION NO. 1102 OF 2005
WITH
CRIMINAL WRIT PETITION NO. 1103 OF 2005

Saroj K. Mehta ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

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Mr. Mihir Gheewale i/b M/s. Desai & Chinoy, Advocate for Petitioner

Mr. Prakash Naik with Ms. Borarro i/b Mr. Sanjob Paras, Advocates for Respondent No.2

Mr. Rajesh More, A.P.P. for State in W.P. Nos 1094 and 1095 of 2005, Ms. S.V. Gajare, A.P.P. for State in W.P. No. 1097 and 1098 of 2005, Mr. M.S. Mhambray, A.P.P. for State in W.P. No. 1099 and 1100 of 2005 and Mr. Y.S. Shinde, A.P.P. for State in W.P. Nos. 1101 to 1103.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 23RD JUNE, 2005

P. C.:-

1. Heard the learned advocate for the petitioner, the learned advocate for respondent No.2 and the

learned A.P.P. for the State.

2. The petitioner has prayed for quashing of process issued against her in Criminal Case Nos.511/S/2000 (New Case No.395/S/2004), 512/S/2000 (New Case No. 396/S/2004), 513/S/2000 (New Case No.397/S/2004), 749/S/2000 (New Case No.458/S/2004), 1072/S/2000 (New Case No.836/S/2004), 1073/S/2000 (New Case No. 837/S/2004), 1074/S/2000 (New Case No.838/S/2004), 1434/S/2000 (New Case No.2357/S/2004) and 1502/S/2000 (New Case No.2368/S/2004) which are pending in the Court of learned Magistrate, 5th Court at Dadar, Mumbai. In the said case, process has been issued against the petitioner under Section 138 r.w. 141 of Negotiable Instruments Act.

3. For the reasons recorded in my order dated 13.6.2005 in Criminal Writ Petition No. 213 of 2005 and order and order dated 21.6.2005 passed in Criminal Application No. 550 of 2005, the petitioner has an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the petitioner prefers revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the petitioner to prefer

revision before the concerned Sessions Court. Interim relief granted by this Court is extended by four weeks from today.

5. On the necessary revision being preferred by the petitioner before the concerned Sessions Court, the concerned Sessions Court shall dispose of the same on merits after hearing necessary parties.

6. Criminal Writ petitions are disposed of.

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